

AMENDED IN SENATE MAY 6, 2009  
AMENDED IN SENATE APRIL 23, 2009

**SENATE BILL**

**No. 687**

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**Introduced by Senator Alquist**

February 27, 2009

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An act to add Section 1418.65 to the Health and Safety Code, relating to long-term health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 687, as amended, Alquist. Long-term health care facilities: health-care-associated infection.

Existing law provides for the licensure and regulation by the State Department of Public Health of health care facilities, including long-term health care facilities. Existing law, the Long-Term Care, Health Safety, and Security Act of 1973, imposes various requirements on long-term health care facilities. Violation of these provisions is a crime.

This bill would prohibit a long-term health care facility from refusing to place a patient based on the fact that the patient has been diagnosed with a health-care-associated infection, or tested positive for the presence of an organism. The bill would require a long-term health care facility to take specified measures for a patient diagnosed with a health-care-associated infection. This bill would also require a long-term health care facility to maintain a record of health-care-associated infections, and would require facility staff to receive education and training regarding the control of health-care-associated infections, as specified. By creating new crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1418.65 is added to the Health and Safety  
2 Code, to read:

3 1418.65. (a) ~~No~~ *Consistent with state laws in effect on January*  
4 *1, 2010, that regulate the terms of readmission of residents to*  
5 *long-term health care facilities after hospitalization, no person*  
6 *shall be refused placement in a long-term health care facility based*  
7 *on the diagnosis of a health-care-associated infection or a positive*  
8 *test for the presence of an organism.*

9 (b) A long-term health care facility shall implement appropriate  
10 infection control measures for a patient diagnosed with an infection.

11 (c) A long-term health care facility shall maintain a record of  
12 infections, including, at a minimum, the name of each resident  
13 with an infection, the date of infection, the causative agent of the  
14 infection, if known, and the origin or site of infection. This record  
15 shall be available for inspection by the State Department of Public  
16 Health and the local health officer.

17 (d) Facility staff shall receive appropriate education and training  
18 regarding the control of health-care-associated infections annually,  
19 and more frequently, as needed.

20 SEC. 2. No reimbursement is required by this act pursuant to  
21 Section 6 of Article XIII B of the California Constitution because  
22 the only costs that may be incurred by a local agency or school  
23 district will be incurred because this act creates a new crime or  
24 infraction, eliminates a crime or infraction, or changes the penalty  
25 for a crime or infraction, within the meaning of Section 17556 of  
26 the Government Code, or changes the definition of a crime within  
27 the meaning of Section 6 of Article XIII B of the California  
28 Constitution.

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